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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/013,543	02/04/1993	RYOICHIRO SATO	35.C6297-CON	8612

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NEW YORK, NY 10112

EXAMINER

CHIANG, JACK

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 05/06/2003

73

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/013543

Applicant(s)

Sato

Examiner

J. Chiang

Group Art Unit

2642

72

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE -3- MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 2-19-03
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 31-34, 36-37, 39-50, 55-56 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 31-34, 36-37, 39-50, 55-56 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2642

CLAIMS

Art Rejection

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 31-33, 36-37, 39-41, 43, 49-50, 55-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Konishi et al. (US 4720707).

Regarding claim 31, Konishi shows:

Obtaining means for obtaining an image by scanning a sheet (2);

Character-recognition means (col. 5, lines 51-55) for obtaining character data from the image;

Determining means for determining a type of character data (col. 5, lines 51-55) obtained by the character recognition means;

Art Unit: 2642

Display controller that controls a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and
memory for storing the image together with the character data (41-47).

Regarding claim 55, Konishi shows the steps of:

Obtaining an image by scanning a sheet (2);

Obtaining character data from the image by performing character recognition on the image (col. 5, lines 51-55);

Determining types of character data obtained by the character recognition (col. 5, lines 51-55);

Controlling a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and

Storing the image together with the character data (41-47).

Regarding claim 55, Konishi shows the steps of:

Obtaining an image by scanning a sheet (2);

Obtaining character data from the image by performing character recognition on the image (col. 5, lines 51-55);

Determining types of character data (col. 5, lines 51-55) obtained by the character recognition;

Art Unit: 2642

Controlling a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and

Storing the image together with the character data (41-47).

Regarding claims 32-33, 36-37, 39-41, 43, 49-50, Konishi shows:

the image data and the plurality of frames are displayed side-by-side (col. 12, lines 50-53);

The determining means (col. 5, lines 51-55);

memory stores the image data and the character data (41-47);

A manual entry device and means for correcting and adding means (col. 12, lines 50-53);

Copying means (3);

Searching unit (col. 4, lines 57-62, 67-68, col. 5, lines 1-2);

A selector (col. 4, lines 67-68, col. 5, lines 1-2);

A communication controller (col. 4, lines 7-13, 25-30);

The image reader (2);

Instruction for the reader, registration and display (figs. 1-2, col. 4, lines 7-39).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2642

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34, 42, 44-48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zamora in view of Konishi et al in view of Murata et al. (US 4670791).

Regarding claims 34, 42, 44-48, Konishi shows the stored documents and enabling exchange of documents with another system through a communication channel (col. 4, lines 7-13).

Konishi differs from the claimed invention in that it does not show the communication is performed based on the phone numbers on the documents.

However, Murata teaches to set up a communication based on the phone numbers read from the documents (col. 6, lines 16-30).

Hence, it would have been obvious for one skilled in the art to adapt Murata's communication method in Konishi, such that to prevent the transmission of a document to a wrong destination by reading the phone numbers directly from the documents (col. 6, lines 16-30, col. 1, lines 50-52 in Murata).

ARGUMENT

5. In response to the remarks (pages 3-6) filed on 02-19-03, applicant first states that Konishi describes ... image of the text portion... image of the drawing portion.

Applicant then argues that Konishi does not perform character recognition. The examiner disagrees with applicant's argument. In fact, applicant's own statement is an answer to his argument. Further, let's assume that applicant is correct that Konishi does not perform character recognition, then how do you know that the scanned image

Art Unit: 2642

is "text"? not to mention to edit the image or what is the point of providing a keyboard there?

In conclusion, Konishi met the claimed limitations.

6. Applicant's arguments with respect to claims 31-34, 36-37, 39-50, 55-56 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

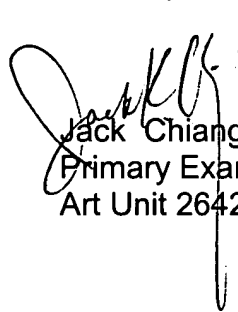
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chiang whose telephone number is 703-305-4728. The examiner can normally be reached on Mon-Fri. from 8:30 to 6:00.

Art Unit: 2642

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.


Jack Chiang
Primary Examiner
Art Unit 2642